

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **3500/6**First Inventor **Hans Kiening jun.**Title **A TEST APPARATUS AND A TEST METHOD**Express Mail Label No. **EV 330817839 US**

**APPLICATION ELEMENTS**  
See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.  
See 37 CFR 1.27.
- Specification [Total Pages **25**]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets **2**]
- Oath or Declaration [Total Sheets **1**]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:  
Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer Reader Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney (when there is an assignee)
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation       Divisional       Continuation-in-part (CIP)      of prior application No. ....

Prior application information: Examiner \_\_\_\_\_ Art Unit: \_\_\_\_\_  
For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number:				<b>OR</b>	<input checked="" type="checkbox"/> Correspondence address below
Name	<b>J. David Dainow</b>				
Address	<b>Amster, Rothstein &amp; Ebenstein</b>				
90 Park Avenue					
City	<b>New York</b>	State	<b>NY</b>	Zip Code	<b>10016</b>
Country	<b>USA</b>	Telephone	<b>212-697-5995</b>		Fax <b>212-286-0854</b>

Name (Print/Type)	<b>J. David Dainow</b>	Registration No. (Attorney/Agent)	<b>22,959</b>
Signature	<i>J. David Dainow</i>		
	Date	<b>July 2, 2003</b>	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09386-627173  
10/627173  
07/25/03



16085  
07/25/03  
PTO

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(\$)** 822.00

## Complete if Known

Application Number	Not yet assigned
Filing Date	
First Named Inventor	Hans Kiening jun.
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	3500/6

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number  
01-1785  
Deposit Account Name  
Amster, Rothstein & Ebens

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 750	2001 375	Utility filing fee	750
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>(\$)</b> 750	

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	24	-20** = 4 X 18 = 72	
Independent Claims	2	-3** = 0 X 0 = 0	
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$)</b> 822.00

\*\*or number previously paid, if greater; For Reissues, see above

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

## SUBMITTED BY

Name (Print/Type)	J. David Dainow	Registration No. (Attorney/Agent)	22,959	Telephone	212-697-5995
Signature	<i>J. David Dainow</i>			Date	July 25, 2003

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

# AMSTER, ROTHSTEIN & EBENSTEIN

MORTON AMSTER  
JESSE ROTHSTEIN (1934-2003)  
DANIEL S. EBENSTEIN  
PHILIP H. GOTTFRIED  
MICHAEL J. BERGER  
NEIL M. ZIPKIN  
ANTHONY F. LO CICERO  
KENNETH P. GEORGE  
ABRAHAM KASDAN, PH.D.  
IRA E. SILFIN  
CHESTER ROTHSTEIN  
CRAIG J. ARNOLD

SENIOR COUNSEL  
CHARLES R. MACEDO  
MARK J. ROSENBERG  
KENNETH M. BERNSTEIN

OF COUNSEL  
JERRY D. DAINOW

ATTORNEYS AT LAW  
PATENTS • TRADEMARKS • COPYRIGHTS  
90 PARK AVENUE  
NEW YORK, NEW YORK 10016  
TELEPHONE: (212) 697-5995  
FACSIMILE: (212) 286-0854

NEAL L. ROSENBERG  
DENISE A. LINDENAUER  
NANCY M. DODDERIDGE  
PATRICK BOLAND\*  
TREBOR LLOYD  
JOSEPH M. CASINO  
JOHN S. ECONOMOU  
MICHAEL V. SOLOMITA  
HOLLY PEKOWSKY  
MICHAEL P. KENNEY  
MARION P. METELSKI\*  
MAX VERN  
DANA R. METES  
KARL J. KOLBINGER

BRIAN A. COMACK  
RICHARD S. MANDARO  
NATALIE BOGDANOS  
MARC J. JASON  
ELIE H. GENDLOFF, PH.D.\*  
DAVID MITNICK  
CHARLES W. RATH  
BERNARD MAISTER, M.D.\*  
DAVID A. BOAG  
KAREN J. BERNSTEIN  
MATTHIEU HAUSIG  
JUNG HAHM  
REIKO KAJI  
ALAN MILLER, PH.D.

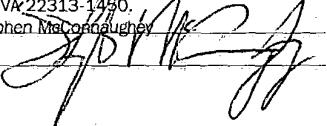
\*NOT ADMITTED IN NEW YORK

July 25, 2003

## via EXPRESS MAIL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

"Express Mail" mailing label No. EV 330817839 US  
Date of Deposit: July 25, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
Name: Stephen Macdonagh  
Signature: 

Re: New U.S. Patent Application  
Title: A TEST APPARATUS AND A TEST METHOD  
Inventor: Hans Kiening jun.  
Our File: 3500/6

Sir:

Enclosed herewith please find an application for Letters Patent in the name of Hans Kiening, entitled A TEST APPARATUS AND A TEST METHOD, comprising the following:

1. Specification, Claims and Abstract - 25 pages
2. Drawings - 2 sheets
3. Postcard receipt

Also enclosed is a check in the amount of \$822.00 to cover the basic filing fee. If there is any discrepancy in the cost of filing, please charge our Deposit Account No. 01-1785. A duplicate copy of this letter is enclosed.

This application claims priority of German Patent Application No. 102 34 140.0 of July 26, 2002.

Commissioner for Patents

-2-

July 25, 2003

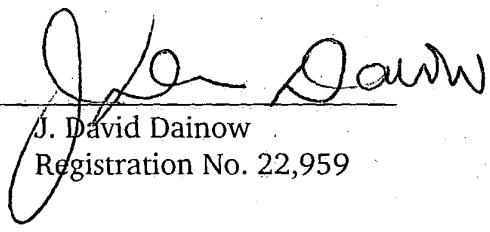
Please forward the filing receipt in due course.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN  
Attorneys for Applicant  
90 Park Avenue  
New York, New York 10016  
(212) 697-5995

Dated: New York, New York  
July 25, 2003

By:

  
J. David Dainow  
Registration No. 22,959

Enclosures